STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of ASHLEY MARIE BARNETT, KEVIN LEE BARNETT, ERIC MARTIN BARNETT, PATRICK DUSTIN BARNETT, CHARLOTTE ANN BARNETT and ELIZABETH GRACE BARNETT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES D. BARNETT,

Respondent-Appellant,

and

HELEN LOUISA WHITEEAGLE,

Respondent.

UNPUBLISHED
October 27, 2000

No. 215731
Wayne Circuit Court
Family Division
LC No. 91-290282

In the Matter of ASHLEY MARIE BARNETT, KEVIN LEE BARNETT, ERIC MARTIN BARNETT, PATRICK DUSTIN BARNETT, CHARLOTTE ANN BARNETT and ELIZABETH GRACE BARNETT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

No. 216009

Wayne Circuit Court
Family Division
LC No. 91-290282

HELEN LOUISA WHITEEAGLE,

Respondent-Appellant,

and

JAMES D. BARNETT,

Respondent.

Before: Markey, P.J., and Murphy and Collins, JJ.

PER CURIAM.

Respondents Barnett and WhiteEagle appeal as of right from the family court order terminating their parental rights to the minor children under MCL 712A.19b(3)(g), (j) and (m); MSA 27.3178(598.19b)(3)(g), (j) and (m). We affirm.

The family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341, 356-357; ___ NW2d ___ (2000). Thus, the family court did not err in terminating respondents' parental rights to the children. *Id.*

We reject respondent WhiteEagle's claim that the language of § 19b(3)(i) should be read into § 19b(3)(m), so that, in addition to showing that her parental rights to another child were voluntarily terminated after a petition seeking permanent custody was filed, appellee was also required to establish that the petition for termination was predicated upon serious and chronic neglect and that earlier attempts at rehabilitation were unsuccessful. The Legislature is presumed to have intended the meaning it plainly expressed. *In re Halbert*, 217 Mich App 607, 612; 552 NW2d 528 (1996). Subsection (3)(m) is clear and unambiguous, and does not require judicial interpretation. *Id.* The subsection plainly expresses the Legislature's intent that parental rights may be terminated where a parent has voluntarily released parental rights to a sibling after the initiation of proceedings under subsection (2)(b).[1] Nothing in subsection (3)(m) suggests that it is necessary to prove either prior chronic neglect or that prior rehabilitative efforts have been unsuccessful.

Affirmed.

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[1] MCL 712A.2(b); MSA 27.3178(598.2)(b).

/s/ Jane E. Markey
/s/ William B. Murphy
/s/ Jeffrey G. Collins